

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

ZETTIE MAE HALL

PLAINTIFF

V.

NO. 1:17CV212-JMV

COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

ORDER ON PETITION FOR ATTORNEY FEES

Before the court are Plaintiff's motion [24] for attorney fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), and Defendant's response [25].

In these proceedings Plaintiff sought judicial review of the Social Security Commissioner's final decision denying a claim for benefits. By Final Judgment [23] dated March 4, 2019, this court remanded this case to the Commissioner for further proceedings. Plaintiff now seeks attorney fees in the amount of \$5,726.70 for 30.3 hours of attorney time before this court as well as \$50.29 for travel expenses on the grounds that Plaintiff was the prevailing party and the Commissioner's position was not "substantially justified." The Acting Commissioner does not oppose the award but requests that travel expenses be separately delineated and the total award be made payable directly to Plaintiff.

The court, having thoroughly considered the motion, response, and the applicable law, finds the requested award is reasonable, and no special circumstance would make the award unjust. The court further finds travel expenses should be reimbursed as expenses, and the total award should be made payable directly to Plaintiff.

THEREFORE, IT IS ORDERED:

That the Acting Commissioner shall promptly pay to Plaintiff \$5,726.70 in attorney fees and \$50.29 for travel expenses for the benefit of counsel for Plaintiff.

This 7th day of May, 2019.

/s/ Jane M. Virden
U. S. MAGISTRATE JUDGE